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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
DIVISION

(Write the full name of the plaintiff in this action.
Include prisoner registration number.)

SHAWON JONES*1254397

v. JENNIFER PRICE
RICHARD MERTER
JEREMIAH KATCHEL
JEFF TURNER

JOHN-DAVEY DAYTON

(Write the full name of each defendant. The caption
must include the names of **all** of the parties.
Fed. R. Civ. P. 10(a). Merely listing one party and
writing "et al." is insufficient. Attach additional
sheets if necessary.)

Case No: ~~4:19-cv-01186-CDP~~
(to be assigned by Clerk of District Court)

Plaintiff Requests Trial by Jury
☒ Yes ☐ No

"Amended Complaint"

PRISONER CIVIL RIGHTS COMPLAINT UNDER 42 U.S.C. § 1983

NOTICE:

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should not contain: an individual's full social security number or full birth date, the full name of a person known to be a minor, or a complete financial account number. A filing may include only: the last four digits of a social security number, the year of an individual's birth, a minor's initials, and the last four digits of a financial account number.

Except as noted in this form, plaintiff should not send exhibits, affidavits, witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the \$400.00 filing fee or an application to proceed without prepayment of fees and costs.

I. The Parties to this Complaint

A. The Plaintiff

Name: Shawon Jones

Other names you have used: _____

Prisoner Registration Number: 1254397

Current Institution: ERDCC
EASTERN RECEPTION DIAGNOSTIC CENTER
2727 HIGHWAY K
BONNE TERRE, MO 63628

Indicate your prisoner status:

<input type="checkbox"/> Pretrial detainee	<input checked="" type="checkbox"/> Convicted and sentenced state prisoner
<input type="checkbox"/> Civilly committed detainee	<input type="checkbox"/> Convicted and sentenced federal prisoner
<input type="checkbox"/> Immigration detainee	<input type="checkbox"/> Other (explain): _____

B. The Defendant(s)

To the best of your knowledge, give the information below for each defendant named in the caption of this complaint. Make sure the defendant(s) named below are the same as those listed in the caption of this complaint. Attach additional pages if necessary.

For an individual defendant, include the person's job title, and check whether you are suing the individual in his or her individual capacity, official capacity, or both.

Defendant 1

Name: JENNIFER PRICE

Job or Title: F.U.M.; FUNCTION UNIT MANAGER

Badge/Shield Number: 107276

Employer: MDOC; POTOMAC CORRECTIONAL CENTER

Address: _____

yes Individual Capacity

yes Official Capacity

STATEMENT OF CLAIMS

- JENNIFER PRICE;
- 1) ON 3-13-18 PLAINTIFF WAS PLACED ON SPECIAL (SSO'S) SECURITY ORDERS BY DEFENDANT PRICE.
 - 2) THE SPECIAL SECURITY ORDERS WITHIN THEMSELVES WERE ATYPICAL TO REGULAR OR EVERYDAY PRISON CONDITIONS.
 - 3) THEY VIOLATED MY EIGHTH, FIRST, FIFTH, AND FOURTEENTH AMENDMENTS UNDER THE U.S. CONSTITUTION.
 - 4) BETWEEN 3-13-18 AND 4-18-18 SSO'S DEPRIVED PLAINTIFF OF INADEQUATE LIVING CONDITIONS, CLOTHING, FURNISHING, MAXI, VISITATION, FOOD, ACCESS TO LAW LIBRARY, ACCESS TO COURTS AND PRACTICE OF RELIGION.
 - 5) ON 3-13-18 PLAINTIFF WAS ONLY ALLOWED (1) PAIR OF BOXERS. THEN ON 4-18-18 WAS GIVEN A T-SHIRT. HOWEVER DURING THIS TIME THE PLAINTIFF WASN'T GIVEN OR OFFERED A TOOTHBRUSH, TOOTH PASTE OR A SHOWER. ALSO THE CELL WAS BARE WITH NOTHING IN IT. WASN'T ALLOWED ACCESS TO THE COURTS OR LAW LIBRARY. MAINLY DUE TO SSO'S SPECIFYING THAT I COULDN'T BE IN POSSESSION OF PAPER, WRITING UTENSILS OR ANY SUCH ARTICLES. LASTLY, WASN'T ABLE TO PRACTICE RELIGION DUE TO NOT HAVING A HOLY QURAN OR NOT BEING ABLE TO GROOM BEFORE AND AFTER PRAYERS.

- 6) THE SPECIAL SECURITY ORDERS STARTED 3-13-18 AND DIDN'T END UNTIL 7-18-18. DUE TO THE CONDITIONS SURROUNDING THE SSO'S PLAINTIFFS SUFFERED EMOTIONAL DISTRESS.
- 7) DEFENDANT PRICE INTENTIONALLY IMPOSED ATYPICAL CONDITIONS UPON PLAINTIFFS. DEFENDANT PRICE PLACED AND SET FORTH SSO'S KNOWING THEY WERE INHUMANE. ALSO NEVER INTERVIEWED TO CHANGE SSO'S UNTIL NEARLY FORTY-DAYS AFTER THE INITIAL SSO'S.
- 8) PLAINTIFF JONES IS SUING DEFENDANT JEREMY PRICE IN INDIVIDUAL CAPACITY FOR \$100,000 FOR PUNITIVE DAMAGES AND COMPENSATORY DAMAGES.

JEREMIAH KITCHED:

- 9) ON 4-13-18 PLAINTIFF WAS ASSAULTED BY DEFENDANT KITCHED AND FOUR OTHER CORRECTIONAL OFFICERS.
- 10) THE ASSAULT OCCURED WHEN A FIVE MAN EXTRACTION TEAM SAVAGELY REMOVED PLAINTIFF FROM HIS CELL (AB#6).
- 11) DEFENDANT KITCHED INITIATED ACTION UPON HALF WAY THROUGH THE CELL THRUH HOLE, STARTED THROWING OVER HARD PUNCHES AND ATTACKED PLAINTIFF.
- 12) ONCE ALL FIVE CORRECTIONAL OFFICERS WERE INSIDE THE CELL THE ATTACK GOT WORSE BECAUSE ONCE THE PLAINTIFF WAS ON THE GROUND. THERE WERE PUNCHES, KICKS, KNEES AND STOMPING GOING ON.
- 13) DUE TO THIS BEATING THE PLAINTIFF

SUCCUMBED TO SEVERAL INJURIES. PLAINTIFF MOUTH WAS BUSTED AND EYES WERE TWICE THEIR REGULAR SIZE, NOSE WAS BUSTED AND BLEEDING, A LACERATION IN WHICH LEFT EAR WAS ANATOMICALLY DISMEMBERED AND FACIAL SWOLLEN.

- 14) DEFENDANT'S ACTIONS WERE NOT APPLIED "IN A GOOD FAITH EFFORT TO MAINTAIN OR RESTORE DISCIPLINE", BUT INSTEAD WERE USED TO "MALICIOUSLY AND SADISTICALLY CAUSE HARM".
- 15) DURING THE ASSAULT NOTHING THE DEFENDANT DID WAS REASONABLE, BUT RATHER "THE UNNECESSARY AND WANTON INFLECTION OF PAIN". BECAUSE DEFENDANT AIDED AND ASSISTED IN SAVAGE BEATING PLAINTIFF ENDURED NOR DID DEFENDANT ATTEMPT TO STOP THE ATTACK.
- 16) PLAINTIFF JONES IS SUING DEFENDANT JEREMIAH KITCHEN IN INDIVIDUAL CAPACITY FOR \$100,000 FOR PUNITIVE DAMAGES AND COMPENSATORY DAMAGES.

RICHARD MENTEER;

- 17) ON 3-13-18 PLAINTIFF WAS PLACED ON SPECIAL (SSO'S) SECURITY ORDERS BY DEFENDANT MENTEER.
- 18) THE SPECIAL SECURITY ORDERS WITHIN THEMSELVES WERE ATYPICAL HARSHNESS TO EVERYDAY OR REGULAR PRISON CONDITIONS.
- 19) THEY VIOLATED MY FIRST, FIFTH, EIGHTH AND FOURTEENTH AMENDMENTS UNDER THE U.S. CONSTITUTION.
- 20) BETWEEN 3-13-18 AND 4-18-18 SSO'S

DEPRIVED PLAINTIFF OF INADEQUATE CLOTHING, FURNISHING, VISITATION, ACCESS TO COURTS, ACCESS TO LAW LIBRARY, MAIL, LIVING CONDITIONS AND RIGHTS TO PRACTISING RELIGION.

21) THE SPECIAL SECURITY ORDERS STARTED 3-13-18 AND DIDN'T END UNTIL 7-18-18. DUE TO THE CONDITIONS SURROUNDING THE SSO'S PLAINTIFF SUFFERED EMOTIONAL DISTRESS.

22) ON 3-13-18 PLAINTIFF WAS ONLY ALLOWED (1) PAIR OF BOXERS. THEN ON 4-18-18 WAS GIVEN A T-SHIRT. HOWEVER DURING THIS TIME THE PLAINTIFF WASN'T GIVEN OR OFFERED A TOOTHBRUSH, TOOTHPASTE, OR A SHOWER. ALSO THE CELL WAS BARE WITH NOTHING IN IT. WASN'T ALLOWED ACCESS TO THE COURTS OR LAW LIBRARY. MAINLY DUE TO THE SSO'S SPECIFYING THAT IT COULDN'T BE IN POSSESSION OF PAPER, WRITING UTENSILS OR ANY SUCH ARTICLES. LASTLY, WASN'T ABLE TO PRACTICE RELIGION DUE TO NOT HAVING A HOLY QURAN OR NOT BEING ABLE TO GROOM BEFORE AND AFTER PRAYERS.

23) PLAINTIFF JONES IS SUING DEFENDANT RICHARD MENTEER IN INDIVIDUAL CAPACITY FOR \$100,000 FOR COMPENSATORY DAMAGES AND PUNITIVE DAMAGES.

JOHN-RIDLEY LAYTON;

24) ON 3-12-18 PLAINTIFF WAS ASSAULTED BY DEFENDANT LAYTON AND FOUR OTHER CORRECTIONAL OFFICERS.

25) THE ASSAULT OCCURRED WHEN A

MAR EXTRACTION TEAM MALICIOUSLY FORCED PLAINTIFF FROM A SUICIDE CELL (TCU#5) AND PLACED PLAINTIFF IN CELL (2B*6), WHICH WASN'T A SUICIDE CELL.

- 26) THE FIRST OFFICER ASSAULTED PLAINTIFF IN VIEW OF DEFENDANT DAYTON, THEN DEFENDANT YELDED "STOP RESISTING" (WHICH PLAINTIFF WASN'T DOING) WHILE SIMULTANEOUSLY PUNCHING PLAINTIFF IN THE MOUTH. WHICH CAUSED PLAINTIFF'S LIPS AND GUMS TO BLEED.
- 27) DEFENDANT DAYTON ACTIONS WERE USED TO "MALICIOUSLY AND SADISTICALLY CAUSE HARM. RATHER THAN TO BE APPARED "IN A GOOD FAITH EFFORT TO MAINTAIN OR RESTORE DISCIPLINE.
- 28) PLAINTIFF JONES IS SUING DEFENDANT JOHN-DAVEY DAYTON IN INDIVIDUAL CAPACITY FOR \$100,000 FOR PUNITIVE DAMAGES AND COMPENSATORY DAMAGES.

JEFF TURNER;

- 29) ON 3-13-18 PLAINTIFF WAS PLACED ON SPECIAL (SSO'S) SECURITY ORDERS BY DEFENDANT TURNER.
- 30) BETWEEN 3-13-18 AND 4-18-18 SSO'S DEPRIVED PLAINTIFF OF INADEQUATE ACCESS TO COURTS, ACCESS TO LAW LIBRARY, MAIL, VISITATION, CLOTHING, FURNISHING, LIVING CONDITIONS, AND PRACTICE OF RELIGION.
- 31) ON 3-13-18 PLAINTIFF WAS ONLY ALLOWED (1) PAIR OF BOXERS. THEN

ON 4-18-18 WAS GIVEN A T-SHIRT. HOWEVER DURING THIS TIME THE PLAINTIFF WASN'T GIVEN OR OFFERED A TOOTHBRUSH, TOOTHPASTE OR A SHOWER. ALSO THE CELL WAS BARE WITH NOTHING IN IT. WASN'T ALLOWED ACCESS TO THE COURTS, OR LAW LIBRARY. MANY DUE TO SSO'S SPECIFYING THAT PLAINTIFF BE IN POSSESSION OF PAPER, WRITING UTENSILS OR ANY SUCH ARTICLES. LASTLY, WASN'T ABLE TO PRACTICE PRAYER DUE TO NOT HAVING A HOLY QURAN OR NOT BEING ABLE TO GROOM/ WASH BODY BEFORE AND AFTER PRAYERS.

32) DEFENDANT TURNER INTER-
 TIONALLY IMPOSED ATYPICAL
~~WARDEN'S~~ CONDITIONS UPON
 PLAINTIFF. DEFENDANT TURNER
 PLACED AND SET FORTH SSO'S
 KNOWING THEY WERE INHUMANE.
 ALSO NEVER INTERVIEWED TO
 CHARGE SSO'S UNTIL NEARLY
 FORTY-DAYS AFTER THE
 INITIAL SSO'S.

33) THE SPECIAL SECURITY ORDERS
 STARTED 3-13-18 AND DIDN'T END
 UNTIL 7-18-18. DUE TO THE CON-
 DITIONS SURROUNDING THE SSO'S
 PLAINTIFF SUFFERED EMOTIONAL
 DISTRESS.

34) THEY VIOLATED MY FOURTEENTH,
 EIGHTEENTH AND FIRST

AMENDMENTS UNDER THE U.S. CONSTITUTION.

35) THE SPECIAL SECURITY ORDERS WITHIN THEMSELVES WERE ATYPICAL TO REGULAR OR EVERY-DAY PRISON CONDITIONS.

36) PLAINTIFF JONES IS SUING DEFENDANT C TURNER IN INDIVIDUAL CAPACITY FOR \$100,000 FOR PUNITIVE DAMAGES AND COMPENSATORY DAMAGES.

THIS COURT SHOULD GRANT LEAVE FREELY TO AMEND A COMPLAINT.
FOMAN V. DAVIS, 371 U.S. 178, 182 (1962).

9-16-20

RESPECTFULLY SUBMITTED,
SHAWON JONES # 1254397
E.R.D.C.C.

2727 HIGHWAY K
BORNE TERRACE MO 63608

Defendant 2

Name: JEREMIAH KITCHED

Job or Title: COI; CORRECTORAL OFFICER

Badge/Shield Number: _____

Employer: MDOC; POTOMAC CORRECTORAL CENTER

Address: _____

☒ Individual Capacity

☐ Official Capacity

II. Statement of Claim

Type, or neatly print, a short and plain statement of the **FACTS** that support your claim(s). For every defendant you have named in this complaint, you must state what he or she personally did to harm you. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Do not make legal arguments, or cite court cases or statutes. You may attach additional pages if necessary.

Your statement of claim must include all of the following information:

1. What happened to you?
2. When did it happen?
3. Where did it happen?
4. What injuries did you suffer?
5. What did each defendant personally do, or fail to do, to harm you?

SEE ATTACHMENTS

Injuries:

1) DEFENDANT JEREMIAH KATCHEAD IS RESPONSIBLE FOR PLANTIFF JONES HAVING A BUSTED MOUTH AND LIPS WERE TWICE THEIR REGULAR SIZE, NOSE WAS BUSTED AND BLEEDING, AND A LACERATION IN WHICH LEFT EAR WAS ANATOMICALLY DISMEMBERED AND FACIAL SWELLEN.

2) DEFENDANT JOHN RALEY DAYTON AS RESPONSIBLE FOR PLANTIFF JONES HAVING A BUSTED MOUTH, LIPS AND GUMS DUE TO DEFENDANT PUNCHING PLANTIFF IN THE MOUTH.

3) DEFENDANTS JENNIFER PACE, JEFF TURNER AND RICHARD MERTER ARE RESPONSIBLE FOR PLANTIFF FIRST, FIFTH, EIGHT AND FOURTEENTH AMENDMENTS UNDER THE U.S. CONSTITUTION BEING VIOLATED. DUE TO BEING ON SSO'S WHICH WERE INHUMANE. THESE SSO'S CAUSED PSYCHOLOGICAL HARM AND EMOTIONAL DISTRESS.

4) PLANTIFF JONES RECEIVED MEDICAL TREATMENT FOR THE ASSAULT BROUGHT BY DEFENDANT KATCHEAD, WAS CLEARED WITH MEDICAL SUBSTATION TO CLEAR BLOOD TEST, LEFT EAR WAS GAVEL BACK ON.

5) PLANTIFF JONES DIDN'T RECEIVE ANY MEDICAL TREATMENT FOR THE ASSAULT THAT WAS SUFFERED BY DEFENDANT DAYTON.

III. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

SEE ATTACHMENTS:

RELIEF;

- 1) PLAINTIFF JONES RESPECTFULLY PRAYS THAT THIS COURT ENTER JUDGEMENT GRANTING PLAINTIFF, A DECLARATION THAT THE ACTS AND OMISSIONS DESCRIBED HEREIN VIOLATED PLAINTIFFS RIGHTS UNDER THE U.S. CONSTITUTION AND LAWS OF THE UNITED STATES. ALSO \$500,000 THAT PLAINTIFF BELIEVES ENTITLEMENT TO BECAUSE ALL RIGHTS WERE DISREGARDED.

IV. Relief

State briefly and precisely what you want the Court to do for you. Do not make legal arguments. Do not cite any cases or statutes. If you are requesting money damages, include the amounts of any actual damages and/or punitive damages you are claiming. Explain why you believe you are entitled to recover those damages.

SEE ATTACHMENTS

V. Exhaustion of Administrative Remedies/Administrative Procedures

The Prison Litigation Reform Act ("PLRA") 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

- A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes ☐ No

If yes, name the jail, prison or other correctional facility where you were confined at the time of the events giving rise to your claim(s):

MDOC, POTOSI CORRECTIONAL CENTER

- B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes ☐ No ☐ Do not know

- C. If yes, does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claims?

☒ Yes ☐ No ☐ Do not know

If yes, which claim(s)? I've filed my GRIEVANCE ON EXCESSIVE FORCE AND CLAIMS REGARDING UNLAWFUL CONDITIONS OF CONFINEMENT.

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes ☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes ☐ No

- E. If you did file a grievance: On 9-7-18 with CCM: JENNIFER EDDERMAN.

1. Where did you file the grievance? POTOSI CORRECTIONAL CENTER
11593 STATE HIGHWAY 0
MARION, MO 63660

2. What did you claim in your grievance? (Attach a copy of your grievance, if available) SEE ATTACHMENT:
3. What was the result, if any? (Attach a copy of any written response to your grievance, if available) SEE ATTACHMENT:

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (*Describe all efforts to appeal to the highest level of the grievance process.*) I'VE FILED AN IAR, GRIEVANCE, AND GRIEVANCE APPEAL.

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

(*Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.*) SEE ATTACHMENTS:

VI. Previous Lawsuits

The “three strikes rule” bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has “on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g).

- A. To the best of your knowledge, have you ever had a case dismissed on the basis of this “three strikes rule”?

☐ Yes ☒ No

If yes, state which court dismissed your case and when it was dismissed. Attach a copy of the court’s order, if possible.

Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes ☒ No

- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff _____

Defendant(s) _____

2. Court *(if federal court, name the district; if state court, name the state and county)*

3. Docket or case number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit _____
6. Is the case still pending?
- ☐ Yes
- ☐ No (If no, give the approximate date of disposition): _____
7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)
- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?
- ☐ Yes ☒ No
- D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)
1. Parties to the previous lawsuit
- Plaintiff _____
- Defendant(s) _____
2. Court (if federal court, name the district; if state court, name the state and county)
3. Docket or case number _____
4. Name of Judge assigned to your case _____
5. Approximate date of filing lawsuit _____

6. Is the case still pending?

☐ Yes

☒ No (If no, give the approximate date of disposition): NO LAWSUIT

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

VII. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 16 day of SEPTEMBER, 2020.

Signature of Plaintiff

Sharon Jones

INFORMAL RESOLUTION REQUEST

OFFENDER NAME AND NUMBER: Jones, Shawon 1254397

IRR LOG NUMBER: PCC 18-1025

Category: 7A

HOUSING UNIT: HU #2C 9

NATURE OF COMPLAINT:

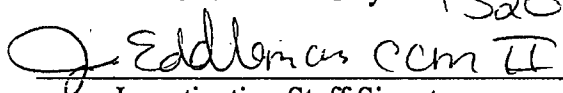
You complain of an inappropriate use of force perpetrated upon you, on 04/13/2018. You feel that, a use of force, is cruel and unusual punishment, and it violated the 8th Amendment. You request the termination of the officers involved, and/or punitive and compensatory damages.


FINDINGS:


Your IRR and all pertinent information/documentation have been received and reviewed. A five man extraction team was utilized to forcibly remove you from your cell, on 04/13/2018. I find that you refused to comply with directives to allow your restraints to be applied. This led to a use of force. The use of force was not excessive and was made necessary by your actions. Your IRR is denied.

Recommendation:

No further action necessary.

132084

Investigating Staff Signature


Functional Unit Manager


Assistant Warden

9/28/18
Date

10/1/18
Date

10-1-18
Date



STATE OF MISSOURI
DEPARTMENT OF CORRECTIONS

INFORMAL RESOLUTION REQUEST

ORIGINAL

INSTITUTION USE ONLY

☒ EMERGENCY COMPLAINT

OFFENDER NAME

Shawon Jones

DOC NUMBER

1254397

DATE STAFF MEMBER RECEIVED IRR

9/12/18

COMPLAINT NUMBER

PCC 18-1025

CATEGORY

7A

HOUSING UNIT

2

STATE YOUR COMPLAINT/PROBLEM BRIEFLY- ONE ISSUE - BE SPECIFIC

On 4-13-18 EXCESSIVE FORCE WAS USED MALICIOUSLY AND SADISTICALLY. When five correctional officers on a movement team were responsible for unnecessary and wanton infliction of pain. This is cruel and unusual punishment and violates my eighth Amendment rights. Also experienced emotional distress. Notes this is the third time in attempting to file this IRR. Due to constant caseworkers moving in/out of a house my IRR has been mishandled in the past.

ACTION REQUESTED: STATE REMEDIES YOU ARE SEEKING

punitive and compensatory damages, temporary restraining order, retraining in regards towards tactics on movement team and demotion from current position or be fired from MDOC.

OFFENDER SIGNATURE

Shawon Jones

DATE

9-17-18

STAFF USE ONLY

DISCUSSION OF COMPLAINT (SUMMARIZE RESULTS OF MEETING)

Not Resolved

☐ IRR RESOLVED BY DISCUSSION/WITHDRAWN

☒ IRR NOT RESOLVED BY DISCUSSION

OFFENDER SIGNATURE

Shawon Jones

DATE

9-12-18

STAFF SIGNATURE

J. Eddleman

DATE

9/12/18

STAFF FINDINGS/RESPONSE

INVESTIGATING STAFF SIGNATURE

J. Eddleman cm II

DATE

9/28/18

RESPONDENT SIGNATURE

Shawon Jones

DATE

10/1/18

VIEWER SIGNATURE

Will. B. AAW

DATE

10-1-18

RESULTS

☐ SATISFACTORY

☐ UNSATISFACTORY

YOU HAVE THE RIGHT TO FILE A FORMAL GRIEVANCE. YOU MUST FILE A GRIEVANCE FORM WITH THE DESIGNATED STAFF WITHIN SEVEN (7) DAYS FROM THE DATE YOU RECEIVE THIS RESPONSE. FAILURE TO SUBMIT A GRIEVANCE WITHIN THIS TIME FRAME CONSTITUTES ABANDONMENT.

OFFENDER SIGNATURE

DATE



STATE OF MISSOURI
DEPARTMENT OF CORRECTIONS
OFFENDER GRIEVANCE

GRIEVANCE NUMBER

IRR NUMBER

DATE FILED

PCC-18-1025

PCC 18-1025

10-19-18

INSTITUTION USE ONLY

OFFENDER LAST NAME

FIRST

DOC NUMBER

HOUSING UNIT

UNIT

INSTITUTION

Jones

Shawon

1254397

2

C

PCC

OFFENDER GRIEVANCE/REQUEST

My U.S. Constitutional rights were violated by an extraction team. On 4-13-18 an excessive use of force was applied. I had a busted and swollen nose that bled uncontrollably, busted and swollen lips which were twice their regular size, had a laceration in which left ear was anatomically dismembered and other facial swelling, that lasted five days. The force applied was excessive because once I was subdued in restraints I was struck, punched, kicked and stomped in my head, back and facial area over 40 to 50 times. All which occurred while I layed on cell floor. This force was not applied "in good faith effort to maintain or restore discipline" but instead was used "maliciously and sadistically causing harm". Therefore the extraction team is/was responsible for causing unnecessary and wanton infliction of pain. This is cruel and unusual punishment and violates my U.S. Constitutional rights under the eight amendment.

OFFENDER SIGNATURE

DATE

Shawon Jones

10/8/18

SUPERINTENDENT RESPONSE

Grievance
Response
Attached

OFFENDER COPY

SUPERINTENDENT/SECTION HEAD

DATE

Charles J. [Signature]

12/12/18

You have the right to appeal this decision to a division director. You must file an appeal form with the grievance officer within seven (7) days from the day you receive this decision. Failure to submit an appeal within this time frame constitutes abandonment of the grievance.

☐ I ACCEPT THIS DECISION

☐ I APPEAL THIS DECISION

OFFENDER SIGNATURE

DATE

**Potosi Correctional Center
Grievance Response**


Register # 1254397 Jones, Shawon

Grievance # PCC-18-1025

OFFENDER COPY

The grievance in which you claim an inappropriate use of force was perpetrated upon you, 4-13-18 has been reviewed. Your requested action is that staff involved be removed from duty and that you receive compensatory damages.

Upon review of pertinent information you refused to comply with numerous directives to allow application of restraints. The force employed was that which was minimally necessary to control and maintain order and security. Grievance Denied.


Richard Jennings, Warden PCC

12/13/18
Date
Reviewed

OFFENDER COPY

ORIGINAL

STATE OF MISSOURI
DEPARTMENT OF CORRECTIONS
OFFENDER GRIEVANCE APPEAL

OFFENDER NAME (LAST NAME, FIRST) <i>Jones, S.</i>	GRIEVANCE NUMBER <i>PCC-18-123</i>	DATE FILED <i>1-10-19</i>
	DOC NUMBER <i>1254347</i>	INSTITUTION <i>PCC</i>

REASON FOR APPEAL*SEE ATTACHMENTS*

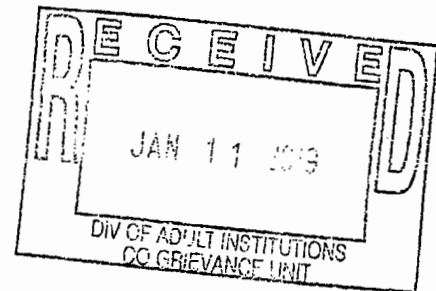
OFFENDER SIGNATURE

Sharon Jones

DATE

*1-7-19***RESPONSE**

OFFENDER COPY



SIGNATURE	DATE
Finalization of this appeal represents exhaustion of this grievance pursuant to federal law, 28 CFRs 40	
OFFENDER SIGNATURE	DATE

I (Shannon Jones #1254397) will continue to appeal this decision because excessive force was applied. On 4-15-18 an cell extraction (CERT team) response team was called to my cell 2B76 led or overseen by CO II, Sgt. SKAGGS. I was given "one" directive per. CO II, Sgt. SKAGGS to submit to restraints, and I refused solely because I was told to lay on the floor instead of being cuffed through the foodport. As an initial result of my refusal my cell door was opened/rolled "one-third" of way. The attack began as CO II, CERT member #1 J. KITCHELL began to rain over hand punches on my head and facial area. Due to this I stepped backwards into the cell, the cell door was completely opened and the CERT team immediately engulfed me in the corner of the cell and viciously pounded on my head, upper body and facial area. To no avail could I prevent the blows, so I scrambled around the cell and layed on the cell floor "were I couldn't pose as a threat to myself nor the CERT team". Everything beyond this point was "excessive force" because it "wasn't applied" in "an effort to maintain or restore discipline" but was used to "maliciously and sadistically cause harm and unnecessary and wanton infliction of pain" because I was laying on the cell floor. However with me laying on the floor the attack became even more brutal and savage due to the CERT members kicking, punching, stomping and doing whatever else they were doing to me. As a result of the beating I succumbed to busted and swollen lips that were twice their normal size, busted and swollen nose, a laceration in which my left ear was anatomically dismembered and other facial swellings.

Also during this entire incident the only directive given was given "one" by CO II, Sgt. SKAGGS. The CERT team never asked me to submit, but instead beat me into (bloody pulp) submission. Due to my injuries ~~minimum~~ force "was not" used and instead excessive force was in deed applied. This is cruel and unusual punishment and violates my U.S. constitutional rights protected under the eight ~~amendment~~ amendment.

I would appreciate if the use of force camera was reviewed as well as any or all cameras located in 2B that has a view of cell #6 and ~~also~~ also look into my medical file ~~to~~ to verify injuries.

Shannon Jones

1-7-19

 Michael L. Parson
Governor



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Fax: 573-751-4099

Anne L. Precythe
Director

State of Missouri
DEPARTMENT OF CORRECTIONS
"Improving Lives for Safer Communities"

Grievance Appeal Response

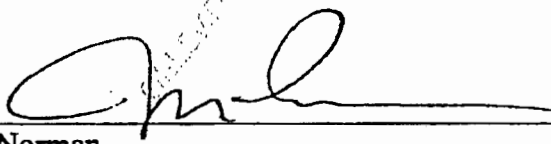
February 28, 2019

Shawon Jones
Register #1254397
Potosi Correctional Center

RE: PCC-18-1025
Use of Force
Received on January 11, 2019
Reviewed on February 28, 2019

OFFENDER COPY

Your appeal dated January 7, 2019, has been reviewed. On August 1, 2018, the Use of Force Committee reviewed the use of force, which occurred on April 13, 2018, at approximately 1:26 p.m. in the Housing Unit Two B-wing, cell 06. The review included all documents, statements, video footage, descriptions of the type of force employed, a description of injuries and treatment given. The committee determined the minimal amount of force was used to control the incident. It was also determined the force was necessary to maintain good order and security. There is no evidence to support your claim of excessive force being used during the incident on April 13, 2018. Missouri Department of Corrections policy D5-3.2-Offender Grievance states, *"Consequential or punitive damages will not be provided."* Your appeal is denied.



Jeff Norman
Deputy Division Director
Division of Adult Institutions

JN/st

OFFENDER COPY

STATE OF MISSOURI
DEPARTMENT OF CORRECTIONS
INFORMAL RESOLUTION REQUESTINSTITUTION USE ONLY ☐ EMERGENCY COMPLAINT

OFFENDER NAME

Shawon Jones

DOC NUMBER

1254397

DATE STAFF MEMBER RECEIVED IRR

9/12/18

COMPLAINT NUMBER

PCC 18-1026

CATEGORY

DUE PROCESS

HOUSING UNIT

2C

STATE YOUR COMPLAINT/PROBLEM BRIEFLY - ONE ISSUE - BE SPECIFIC

SEE ATTACHMENTS

ACTION REQUESTED: STATE REMEDIES YOU ARE SEEKING

SEE ATTACHMENTS

OFFENDER SIGNATURE

Shawon Jones

DATE

9-7-18

STAFF USE ONLY

DISCUSSION OF COMPLAINT (SUMMARIZE RESULTS OF MEETING)

Not Resolved

☐ IRR RESOLVED BY DISCUSSION/WITHDRAWN☒ IRR NOT RESOLVED BY DISCUSSION

OFFENDER SIGNATURE

Shawon Jones

DATE

9-12-18

STAFF SIGNATURE

J. Adkins

DATE

9/12/18

STAFF FINDINGS/RESPONSE

INVESTIGATING STAFF SIGNATURE

J. Adkins

DATE

9/28/18

RESPONDENT SIGNATURE

Alicia Harris

DATE

10/1/18

VIEWER SIGNATURE

Lillie D. A. A.

DATE

10-1-18

RESULTS

☐ SATISFACTORY☐ UNSATISFACTORY

YOU HAVE THE RIGHT TO FILE A FORMAL GRIEVANCE. YOU MUST FILE A GRIEVANCE FORM WITH THE DESIGNATED STAFF WITHIN SEVEN (7) DAYS FROM THE DATE YOU RECEIVE THIS RESPONSE. FAILURE TO SUBMIT A GRIEVANCE WITHIN THIS TIME FRAME CONSTITUTES ABANDONMENT.

OFFENDER SIGNATURE

DATE



Informal Resolution Request

OFFENDER NAME AND NUMBER: Jones, Shawon 1254397

IRR LOG NUMBER: PCC 18-1026

HOUSING UNIT: HU 2C-09

CATEGORY: 3C

NATURE OF COMPLAINT: You state that, on 03/13/2018, your procedural rights were violated. You were placed on Special Security Orders, based on conduct violation PCC 18-00571, that you were never found guilty of. The security orders caused you emotional and physical distress. You are requesting punitive and compensatory damages, and a demotion or termination of the staff involved.

FINDINGS: Your IRR and all pertinent information/documentation have been received and reviewed. You were placed on Special Security Orders due to your behavior. This decision was made, collectively, between Administrative, Custody, Classification and Mental Health Personnel. Your special security orders were constantly reviewed by Administrative (Warden) and Mental Health Contract Monitors to ensure due process and MODOC policies and procedures were not violated. Your IRR is denied.

RECOMMENDATION: No further actions necessary.

J. Eddleman

Investigating Staff Signature

9/28/18

Date

Nicole Francis Acting

Functional Unit Manager

10/1/18

Date

Will. Dill

Assistant Warden

10-1-18

Date



STATE OF MISSOURI
DEPARTMENT OF CORRECTIONS
OFFENDER GRIEVANCE

ORIGINAL

GRIEVANCE NUMBER AIC-18-1026	IRR NUMBER PCC18-1026	DATE FILED 10-19-18
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INSTITUTION USE ONLY

OFFENDER LAST NAME Jones	FIRST Shawon	DOC NUMBER 1254397	HOUSING UNIT 2	UNIT C	INSTITUTION PCC
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OFFENDER GRIEVANCE/REQUEST

I was placed on (SSO) for over a hundred days and was never provided with some level of process. Also wasn't provided with any amount of protection (like a hearing or notice) however the administration and custody staff, Jim Price, Lt. Price, Capt. Mentzer and the warden agreed and signed off on (SSO's) which violates my procedural due process and subjected me to false imprisonment. I was subjected to treatment and/or conditions that are in atypical and significant hardship in relation to the ordinary incidents of prison life. It was said that I was solely on (SSO) because of CDV# PCC18-00571. I was disciplined without the chance to get witness testimony, have a hearing or present evidence. This was a complete disregard of my eighth Amendment under the U.S. Constitution, deliberate indifference. For I was not afforded the same amenities as the other complying offenders who are focused on completing their allotted ad-sen time. This punishment is based on a vague claim. Due to this my eighth, first, fifth, fourteenth and fourth Amendment constitutional rights were violated.

Note: CDV# PCC18-00571 was dismissed and expunged on 8-30-18 (after I was off SSO's) and this incident occurred on 3-13-18.

OFFENDER SIGNATURE Shawon Jones	DATE 10/8/18
---	------------------------

SUPERINTENDENT RESPONSE

OFFENDER COPY

Grievance
Response
Attached

SUPERINTENDENT/SECTION HEAD [Signature]	DATE 12/11/18
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You have the right to appeal this decision to a division director. You must file an appeal form with the grievance officer within seven (7) days from the day you receive this decision. Failure to submit an appeal within this time frame constitutes abandonment of the grievance.

☐ I ACCEPT THIS DECISION

☐ I APPEAL THIS DECISION

OFFENDER SIGNATURE	DATE
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**Potosi Correctional Center
Grievance Response**

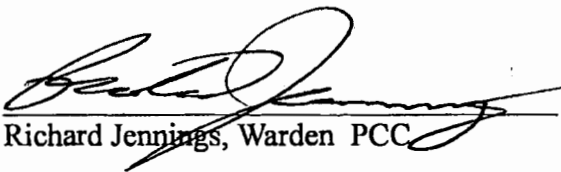
Register # 1254397 Jones, Shawon

Grievance # PCC-18-1026

OFFENDER COPY

The grievance in which you claim violation of procedural and institutional rights has been reviewed. Your requested action is termination of administrative staff and monetary compensation.

This review finds your assignment to administrative segregation has been reviewed in compliance with policy guidelines. Application of special security orders are recommended upon collective assessment of mental health, classification, custody and administrative staff. You indicate you ~~contempt~~ for these actions initiated 3-13-18, however you failed to submit a complaint until 9-12-18 at which time your right to do so had expired. Be advised an offender who wishes to submit a complaint must to so within 15 days of the incident. Grievance Denied.


Richard Jennings, Warden PCC


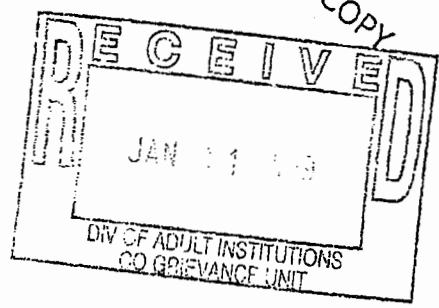
12/11/18
Date
Reviewed

OFFENDER COPY



STATE OF MISSOURI
DEPARTMENT OF CORRECTIONS
OFFENDER GRIEVANCE APPEAL

ORANGE

 STATE OF MISSOURI DEPARTMENT OF CORRECTIONS OFFENDER GRIEVANCE APPEAL		GRIEVANCE NUMBER PCC-18-1026	DATE FILED 1-10-19
OFFENDER NAME (LAST NAME, FIRST) Jones S.		DOC NUMBER 1254397	INSTITUTION PCC
REASON FOR APPEAL SEE ATTACHMENT			
OFFENDER SIGNATURE Sharon Jones		DATE 1-7-19	
RESPONSE			
<div style="text-align: right;"> OFFENDER COPY</div>			
SIGNATURE		DATE	
Finalization of this appeal represents exhaustion of this grievance pursuant to federal law, 28 CFRs 40			
OFFENDER SIGNATURE		DATE	

Michael L. Parson
Governor



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Anne L. Precythe
Director

State of Missouri
DEPARTMENT OF CORRECTIONS
"Improving Lives for Safer Communities"

Grievance Appeal Response

March 1, 2019

Shawon Jones
Register #1254397
Potosi Correctional Center

RE: PCC-18-1026
Due Process
Received on January 11, 2019
Reviewed on March 1, 2019

OFFENDER COPY

Your appeal dated January 7, 2019, has been reviewed. The grievance response you received adequately addressed your complaint regarding claims the Special Security Orders issued June 21, 2018, were unjust. The Special Security Orders were issued due to your maladaptive behavior. Conduct violation records indicate you received nine conduct violations in 2018. Among the nine violations, you received two for assault, and two for threats. You failed to provide any evidence to support your complaint. Your appeal is denied.

A handwritten signature in black ink, appearing to read "Jeff Norman", is written over a horizontal line.

Jeff Norman
Deputy Division Director
Division of Adult Institutions

JN/st

OFFENDER COPY

Potosi Correctional Center Grievance Response

Register # 1254397 Jones, Shawon

Grievance # PCC-18-846

The grievance in which you state that CCM J. Jones has failed to process numerous IRR complaints in a timely manner has been reviewed. Your requested action is to pursue such complaints via the IRR process.

This review finds response provided at the IRR level of this compliant indicates two IRR level complaints PCC-18-582 and 18-677 which were not processed in a timely manner. It is noted that both of these complaints have now been processed. Response provided at the IRR level on 8-10-18 encouraged you to utilize the IRR process for any complaints which you believe were not processed. "It is noted that in the nearly sixty days since this arrangement you have not pursued any old issues." Recent classification assignment changes provide assignment of a case manger in each wing of housing unit two which should resolve your concerns. This should resolve your compliant.

Richard Jennings, Acting Warden
Richard Jennings, Warden PCC

10-5-18
Date
Reviewed

OFFENDER COPY



STATE OF MISSOURI
DEPARTMENT OF CORRECTIONS
OFFENDER GRIEVANCE APPEAL

OFFENDER NAME (LAST NAME, FIRST) <u>Jones S.</u>	GRIEVANCE NUMBER <u>PCC-18-846</u>	DATE FILED <u>11-30-18</u>
	DOC NUMBER <u>1254397</u>	INSTITUTION <u>PCC</u>

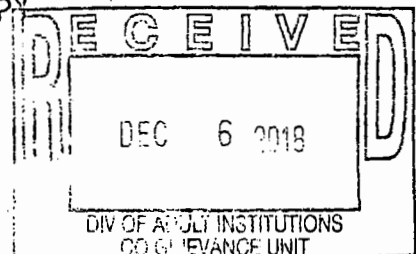
REASON FOR APPEAL

CCM. Jones failed to process numerous IRR complaints in a timely manner in accordance with department of corrections, IRR/GRIEVANCE policy and procedure. In which case IRR'S pcc18-582 and pcc18-677 were not properly handled in the allowed time frame. Also IRR'S pcc18-1026 and pcc18-1025 were also mishandled by CCM. Jones as well. These IRR'S had to be filed late — took over sixty days until I was assigned a new caseworker. These were and issues that CCM. Jones refused to submit or pushed/shoved off.

OFFENDER SIGNATURE <u>Shawn Jones</u>	DATE <u>11/5/18</u>
RESPONSE	

OFFENDER COPY

OFFENDER COPY



SIGNATURE	DATE
Finalization of this appeal represents exhaustion of this grievance pursuant to federal law, 28 CFRs 40	
OFFENDER SIGNATURE	DATE

Michael L. Parson
Governor



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Anne L. Precythe
Director

State of Missouri
DEPARTMENT OF CORRECTIONS
"Improving Lives for Safer Communities"

Grievance Appeal Response


February 1, 2019

Shawon Jones
Register #1254397
Potosi Correctional Center

OFFENDER COPY

RE: PCC-18-846
Other
Received on December 6, 2018
Reviewed on February 1, 2019

Your appeal dated November 5, 2018, has been reviewed. The grievance response you received adequately addressed your complaint regarding responses to Informal Resolution Request complaints you had previously filed. You are encouraged to continue with the grievance process on issues you wish to have addressed. Your appeal is denied.


Ryan Crews
Deputy Division Director
Division of Adult Institutions

RC/st

OFFENDER COPY